

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

COPPERWELD BIMETALLICS, LLC,

Plaintiff,

v.

Case No.: 5:21-cv-01310-MHH

CERRO WIRE, LLC,

Defendant.

ORDER

The parties have asked the Court to enter an order to resolve plaintiff Copperweld's motion for a preliminary injunction. The motion is well-taken. Therefore, the Court orders as follows:

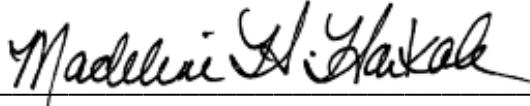
1. Cerro Wire shall, without admitting liability, continue to refrain from distribution of the FAQs, as well as any other communication that contains the same allegedly false and misleading statements as the FAQs, at least until this action is resolved;
2. Within seven days of this order, Cerro Wire will notify the consumers to whom/which Cerro Wire distributed the FAQs, (Docs. 1, Doc. 23), of the following in writing and provide copies to Copperweld: (i) Copperweld filed a lawsuit against Cerro Wire for its distribution of the FAQs; (ii) Copperweld contends the FAQs are false and misleading, (iii) Cerro Wire disagrees and contends the FAQs are true and accurate,

(iv) Cerro Wire asks that the recipients not distribute the FAQs while Cerro Wire and Copperweld are litigating this dispute in the Court; and

(v) Cerro Wire will notify the recipients when the lawsuit ends;

3. Copperweld's motion for a preliminary injunction (Docs. 22, 23) is deemed withdrawn;
4. The hearing scheduled for April 19, 2022 (Doc. 38) is canceled; and
5. Pursuant to Sections III and IV of Court's Initial Order (Doc. 36), the parties will (i) exchange Rule 26(a)(1) initial disclosures by February 2, 2022; (ii) confer pursuant to Rule 26(f) by no later than February 9, 2022, (ii) file a joint report of their planning meeting by no later than February 14, 2022, and (iii) email to chambers a draft scheduling order that provides proposed deadlines for discovery and dispositive motions and proposed limits on the number of discovery requests by no later than February 14, 2022.

DONE and **ORDERED** this January 27, 2022.



MADELINE HUGHES HAIKALA
UNITED STATES DISTRICT JUDGE